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# Message Text

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ORIGIN L-03

INFO OCT-01 ARA-10 ISO-00 DHA-02 CIAE-00 INR-07
NSAE-00 INRE-00 AID-05 PM-05 NSC-05 SP-02 SS-15
NSCE-00 /055 R

DRAFTED BY L/ARA:F.ARMSTRONG:JV
APPROVED BY L/ARA:F.WILLIS
USOAS - M. DION
L/HR - C. RUNYON (SUBS)
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FM SECSTATE WASHDC
TO AMCONSUL RIO DE JANEIRO IMMEDIATE

C O N F I D E N T I A L STATE 178313

E.O. 11652: GDS

TAGS: BR, SHUM

SUBJECT: POSSIBLE INITIATIVES FOR THE INTER-AMERICAN JURIDICAL COMMITTEE ON HUMAN RIGHTS

DEXTER PASS TO SEYMOUR RUBIN

1. DEPARTMENT OFFERS FOLLOWING IDEAS FOR YOUR CONSIDERATION AS POSSIBLE TOPICS FOR IAJC STUDY IN HUMAN RIGHTS AREA.

(A) PROCEDURAL GUARANTEES AGAINST TORTURE, SUMMARY CONVICTION, AND PROLONGED DETENTION WITHOUT TRIAL. THE OASGA IN GRENADA ADOPTED A RESOLUTION DECLARING THAT "NO CIRCUMSTANCES . . . CAN JUSTIFY TORTURE, SUMMARY CONVICTION OR PROLONGED DETENTION WITHOUT TRIAL." BUT THERE IS NO AGREED APPROACH FOR ENDING THESE ABUSES OF HUMAN RIGHTS WHERE THEY OCCUR. THE IAJC COULD UNDERTAKE A STUDY OF LEGAL PROCEDURES WITH A VIEW TOWARD SPECIFYING THOSE WHICH

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ARE MOST EFFECTIVE IN GUARANTEEING THAT SUCH ABUSES DO NOT OCCUR.

(B) PROFESSIONAL INDEPENDENCE. FOLLOWING THE LEAD OF THE INTERNATIONAL COMMISSION OF JURISTS, THE IAJC MIGHT OPEN ITSELF AS A FORUM FOR THE DISCUSSION OF OBSTACLES ATTORNEYS AND JUDGES FACE IN CARRYING OUT THEIR PRO-

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FESSIONAL RESPONSIBILITIES AND SEEK SOLUTIONS TO THESE

PROBLEMS. THE IAJC MIGHT FOCUS ON THE RIGHT TO COUNSEL OF THE DETAINEE AND THE INDEPENDENCE OF THE JUDICIARY. (THE ICJ HAS RECENTLY RECEIVED A GRANT FROM THE ROCKEFELLER FOUNDATION TO ESTABLISH A FULL-TIME SECRETARIAT IN GENEVA ON THE INDEPENDENCE OF LAWYERS. IT WILL DOCUMENT CASES OF ATTORNEYS OR JUDGES INHIBITED FROM CARRYING OUT THEIR RESPONSIBILITIES, SEEK PROTECTION THROUGH LOCAL

BAR ASSOCIATIONS, AND PUBLISH PERIODIC REPORTS.)

(C) LAW AND PRACTICE IN HUMAN RIGHTS. THE IAJC MIGHT REVIEW THE IMPLEMENTATION OF LAWS INTENDED TO PROTECT HUMAN RIGHTS IN PARTICULAR AREAS (E.G., DISCRIMINATION) OR STUDY THE IMPACT OF JUDICIAL DISCRETION ON HUMAN RIGHTS (E.G., UNIFORMITY IN SENTENCING). VANCE

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# Message Attributes

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